



COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT

Tentative Notice of Action

Promoting the wise use of land  
Helping build great communities

|  |   |                                       |                             |
|--|---|---------------------------------------|-----------------------------|
| MEETING DATE<br>December 16, 2005  | CONTACT/PHONE<br>Karen Nall<br>(805) 781-5606 | APPLICANT<br>John Thornton            | FILE NO.<br>DRC2005-00030   |
| EFFECTIVE DATE<br>December 30, 2005  |   |                                       |                             |
| SUBJECT<br>Request by John Thornton for a Minor Use Permit to allow the construction of a 600 square foot guesthouse with an attached 150 square foot storage room. The project includes a request for a waiver of the required distance of 50 feet between the existing single family residence and the proposed guesthouse to 80 feet. The proposed project is within the Residential Rural land use category and is located at 1190 Old Peachy Canyon Road west of the City of Paso Robles. The site is in the Salinas River planning area. |   |                                       |                             |
| RECOMMENDED ACTION<br>Approve Minor Use Permit DRC2005-00030 based on the findings listed in Exhibit A and the conditions listed in Exhibit B  |   |                                       |                             |
| ENVIRONMENTAL DETERMINATION<br>A Class Three Categorical Exemption was issued on September 23, 2005.   |   |                                       |                             |
| LAND USE CATEGORY<br>Residential Rural   | COMBINING DESIGNATION<br>None                 | ASSESSOR PARCEL NUMBER<br>018,191,062 | SUPERVISOR DISTRICT(S)<br>1 |
| PLANNING AREA STANDARDS:<br><i>Does the project meet applicable Planning Area Standards: none applicable</i>   |   |                                       |                             |
| LAND USE ORDINANCE STANDARDS:<br>22.30.410 E. Guesthouse and home offices<br><i>Does the project conform to the Land Use Ordinance Standards: Yes – waiver requested see discussion</i>  |   |                                       |                             |
| FINAL ACTION<br>This tentative decision will become final action on the project, effective on the 15 <sup>th</sup> day following the administrative hearing, or on December 30, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.   |   |                                       |                             |
| EXISTING USES:<br>Single family residence with attach workshop and garage, cell site tower w/ storage building   |   |                                       |                             |
| SURROUNDING LAND USE CATEGORIES AND USES:<br><i>North: Residential Rural/Scattered Residences</i><br><i>South: Residential Rural/Scattered Residences</i><br><i>East: Residential Rural/Scattered Residences</i><br><i>West: Agriculture/Scattered Residences</i>  |   |                                       |                             |
| ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:<br>COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242   |   |                                       |                             |

|  |  |
|--|--|
| OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:<br>The project was referred to: Public Works, Building Division and City of Paso Robles |  |
| TOPOGRAPHY:<br>Level to steeply sloping  | VEGETATION:<br>Grasses, forbs, shrubs, ornamentals |
| PROPOSED SERVICES:<br>Water supply: Individual well<br>Sewage Disposal: Individual septic system<br>Fire Protection: CDF           | ACCEPTANCE DATE:<br>September 23, 2005             |

## DISCUSSION

The project includes the construction of a 600 square foot guesthouse with a 150 square foot non-conditioned storage area. The Land Use Ordinance requires that a guesthouse be located within 50 feet of the principal residence unless waved through a Minor Use Permit. The applicant is requesting a waiver to locate the guesthouse approximately 80 feet from the primary residence.

## STAFF COMMENTS:

Staff is recommending approval of the distance waiver. The site is constrained due to the topography and the existing development including a single family residence with attach workshop and garage, a cellular telephone tower and cellular telephone equipment building. The proposed location for the guesthouse is a level pad area which is the site of a horse paddock that will be demolished. Allowing the distance waiver will reduce site disturbance and vegetation removal and the proposed location is not visible from the Peachy Canyon Road.

The site has a previously approved guesthouse. A portion of the workshop, which is attached to the residence, was converted to a guesthouse. The applicant has a permit (PMT 2005-00533) in process to convert this guesthouse back into non-conditioned workshop space. This project has been conditioned to require that this permit be finalized prior to final of the new guesthouse permit.

COMMUNITY ADVISORY GROUP COMMENTS: Not applicable

## AGENCY REVIEW:

Public Works – No concerns noted

## LEGAL LOT STATUS:

The lot was legally created by a deed and a certificate of compliance in 1990.

## EXHIBIT A - FINDINGS

### *CEQA Exemption*

- A. The project qualifies for a Categorical Exemption (Class Three) pursuant to CEQA Guidelines Section 15303 because the project involves the construction of a new small structure.

### *Minor Use Permit*

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies/does not satisfy all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the guesthouse does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the guesthouse is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Old Peachy Canyon Road, a local road constructed to a level able to handle any additional traffic associated with the project.

### *Guesthouse Distance Adjustments*

- G. Modification of the distance a guesthouse can be located from a primary dwelling from 50 feet to allow a guesthouse to be located approximately 80 feet from the primary dwelling is justified because there are specific conditions of the site that make the standard ineffective. These conditions consist of the topography on site as well as the existing development. The guesthouse is proposed in a location that is already disturbed where no significant vegetation removal or grading will occur.

**EXHIBIT B - CONDITIONS OF APPROVAL**  
***Minor Use Permit DRC2005-00030 Thornton***

**Approved Development**

1. This approval authorizes
  - a. Modification of the limitation on the maximum distance requirement of a guesthouse from a primary dwelling from 50 feet to approximately 80 feet to allow a 600 square foot guesthouse with an attached 150 square foot storage area.

**Conditions required to be completed at the time of application for construction permits**

**Site Development**

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, and architectural elevations.

**Fire Safety**

3. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code and Planning Area standards.

**Conditions to be completed prior to issuance of a construction permit**

**Fees**

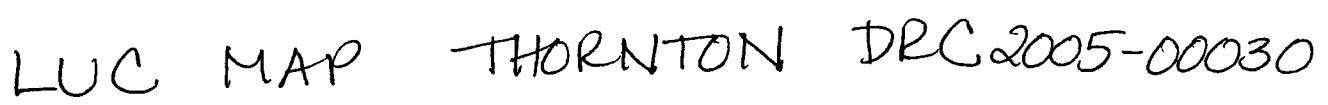
4. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school fees.

**Conditions to be completed prior to occupancy or final building inspection**

5. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
6. **Prior to occupancy or final inspection**, the applicant shall provide evidence that building permit PMT2005-00533 has been finalized for the conversion of the existing guesthouse to a workshop.

**On-going conditions of approval (valid for the life of the project)**

7. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
8. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.



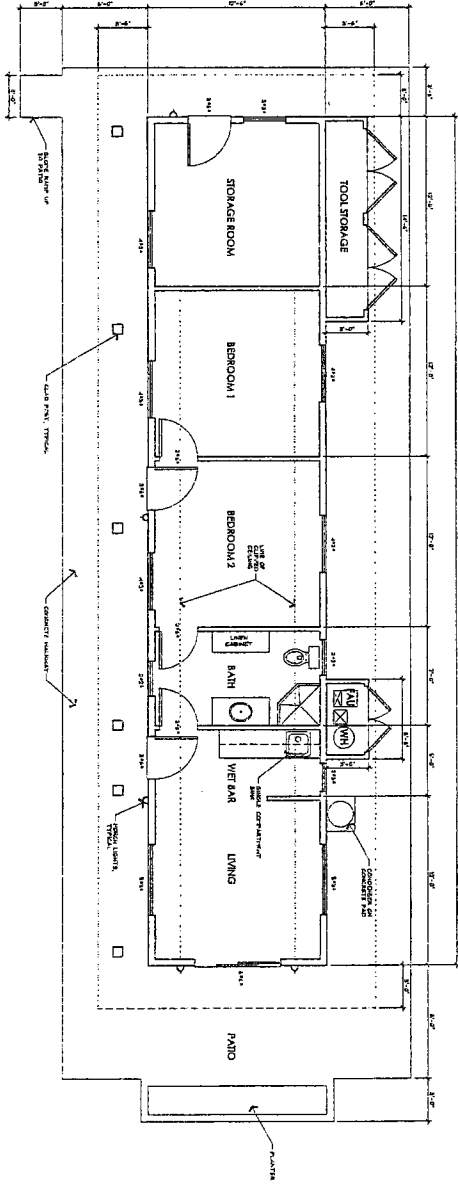


**OMNI**  
 DESIGN GROUP, INC.  
 ARCHITECTURE  
 1180 OLD RIVER CANYON ROAD  
 P.O. BOX 1000  
 CALIFORNIA, CA 92414  
 (951) 708-1000  
 www.omnidesigngroup.com

**THORNTON**  
 RESIDENCE  
 GUESTHOUSE  
 1180 OLD RIVER CANYON ROAD  
 P.O. BOX 1000, CA 92414

OWNER:

**JOHN AND JANE  
 THORNTON**  
 1180 OLD RIVER CANYON ROAD  
 P.O. BOX 1000, CA 92414



**FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"



14

**A.2**

**FLOOR PLAN**

**PROJECT NUMBER: 011-018**

**DATE: MAY 2004**

**DESIGNER:**

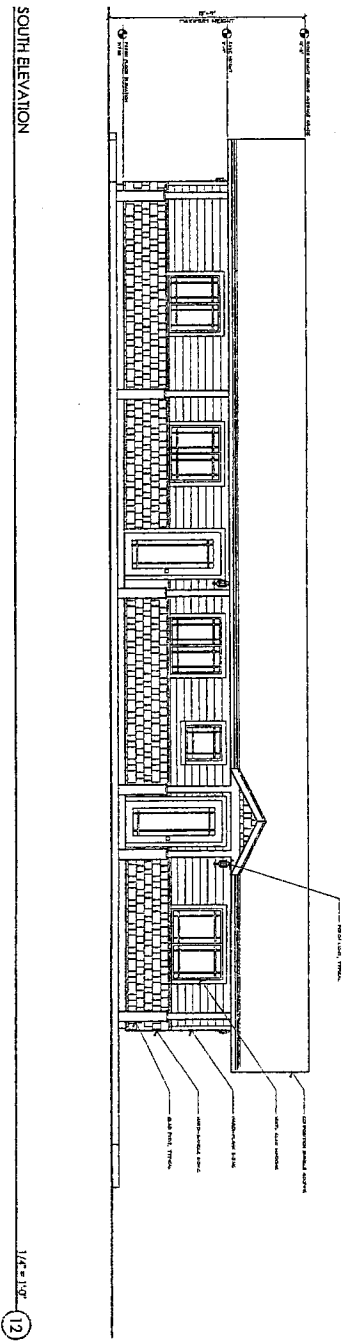
**ARCHITECT:**

**PROJECT NUMBER: 011-018**

**DATE: MAY 2004**

**DESIGNER:**

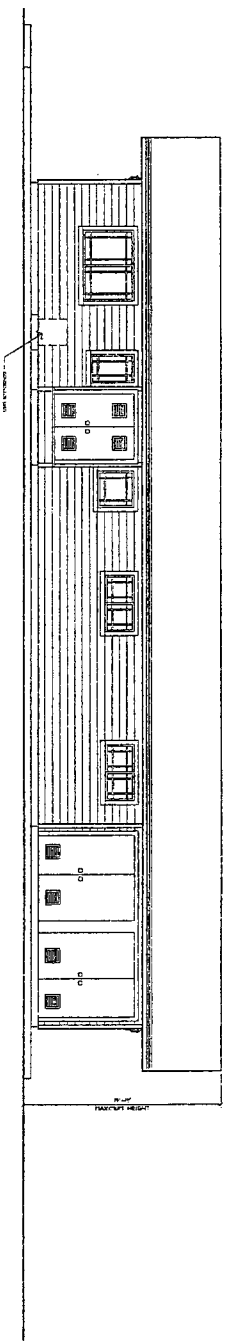
**ARCHITECT:**



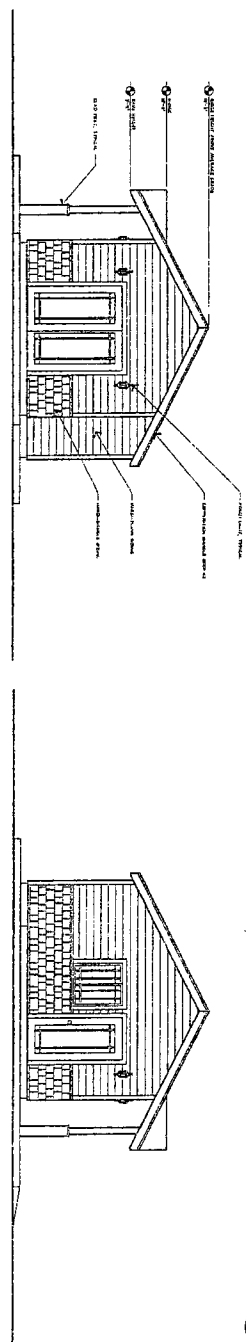
**THORNTON**  
 RESIDENCE  
 GUESTHOUSE  
 1180 OLD PEACHT CANYON ROAD  
 PASO ROBLES, CA 93446

8/2015

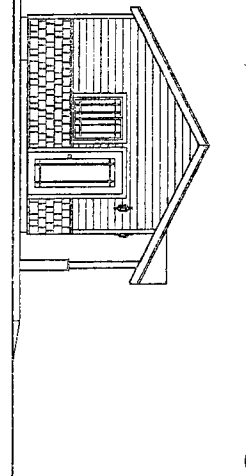
**JOHN AND JANE**  
**THORNTON**  
 1180 OLD PEACHT CANYON ROAD  
 PASO ROBLES, CA 93446



**NORTH ELEVATION**  
 1/4" = 1'-0" 13



**EAST ELEVATION**  
 1/4" = 1'-0" 34



**WEST ELEVATION**  
 1/4" = 1'-0" 14

**A.3**

**EXTERIOR**  
**ELEVATIONS**

**PROJECT NUMBER: 1180**  
**DATE: MAY 2015**  
**DESIGNER: JOHN AND JANE THORNTON**  
**ARCHITECT: OMNI DESIGN GROUP, INC.**  
**1180 OLD PEACHT CANYON ROAD**  
**PASO ROBLES, CA 93446**